

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

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**DOCKET NO. 1596**

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION  
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

*Arthur McElroy v. Janssen Pharmaceutica, Inc., et al.*, D. Nebraska, C.A. No. 4:06-3154

**ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER  
AND SIMULTANEOUS SEPARATION AND REMAND OF CERTAIN CLAIMS**

A conditional transfer order was filed in this action (*McElroy*) on September 14, 2006. Prior to expiration of that order's 15-day stay of transmittal, plaintiff filed a notice of opposition to the proposed transfer. Plaintiff subsequently failed to file the required motion and brief to vacate the conditional transfer order.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-68" filed on September 14, 2006, is LIFTED and thus the action is transferred to the Eastern District of New York for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Jack B. Weinstein.

IT IS FURTHER ORDERED that all claims in this action except Zyprexa claims are separated and simultaneously remanded, pursuant to 28 U.S.C. § 1407(a), to the District of Nebraska.

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

**INVOLVED COUNSEL LIST**  
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**IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

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